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SUBJECT: ANTI-CORRUPTION UPDATE: MADURO INVITES TRANSPARENCY
INTERNATIONAL TO REVIEW HONDURAN EFFORTS

REF: 03 TEGUCIGALPA 2844

03 TEGUCIGALPA 2938

1. (U) Summary: In a February 25 private briefing with international donors, the Transparency International (TI) delegation, led by TI Vice Chair of the Board of Directors Rosa Ines Ospina from Colombia, acknowledged positive anti-corruption efforts by President Ricardo Maduro's administration and also outlined necessary additional steps that Honduras must take to fully address the deep-rooted nature of corruption in the country. Ospina praised the pending constitutional amendment to revoke immunity for legislators and public officials as a path-breaking development, which would make Honduras the first country in the world to subject legislators directly to the jurisdiction of the judicial system. Minister of the Presidency Luis Cosenza highlighted the government's position that its anti-corruption efforts were not in response to the TI visit but part of an ongoing national commitment to combat corruption. He pledged that the Government of Honduras (GOH) would correct the error it had made in not signing the UN Anti-Corruption Convention last December in Merida, Mexico. End Summary

2. (U) A Transparency International (TI) delegation lead by Rosa Ines Ospina, a TI Chapter head from Colombia, visited Honduras on February 24 and 25. The Maduro administration invited TI to Honduras last fall to review the new anti-corruption measures the GOH has put into place. Minister of the Presidency Luis Cosenza highlighted the government's position that its anti-corruption efforts were not in response to the TI visit but part of an ongoing national commitment to combat corruption. He declared that the government viewed TI as an ally in that battle. Cosenza added that the GOH hoped that TI would help identify other measures and processes that would make the GOH's anti-corruption programs more effective.

3. (U) In a February 25 private briefing with international donors as well as in public comments, Ospina acknowledged positive anti-corruption efforts by President Ricardo Maduro's administration, and then outlined necessary additional steps that Honduras must take to fully address the deep-rooted nature of its corruption problem (ref A). She added that the government's job in this area was not just to eliminate corruption but to create public confidence that corruption would not be permitted. Ospina singled out the pending constitutional amendment to revoke immunity for legislators and public officials as a path-breaking development which would make Honduras the first country in the world to subject legislators directly to the jurisdiction of the judicial system. She added that the criminal procedures code reform that instituted oral public trials was an important improvement as was the GOH's use of the UN Development Program to award government contracts, commenting that this was a positive development but that she hoped this would only be a temporary solution.

4. (U) Ospina also said that the challenge of reversing corrupt practices was not only the responsibility of the central government. She suggested that the Honduran congress, political parties, judicial system, media, private sector, and civil society had to be engaged in the effort. Ospina lauded the work of the National Anti-Corruption Commission, but urged the GOH to follow through on more specific projects, such as ensuring that the general public has greater access to government records. Ospina warned the Honduran public of the danger drug trafficking represents to anti-corruption programs. She said that it is a grave and difficult problem that destroys human lives. Finally, she flagged TI's concern about the problem of impunity and its widespread perception, which needed to be better addressed by the judicial system.

5. (U) In separate public comments, Ospina criticized the Honduran private sector for not being committed to the fight against corruption. She charged that the Honduran private sector "is disposed to offer, disposed to pay, and willing to

put its own particular interests above the common interest." She stressed that the private sector had a special responsibility to self-regulate its own practices and adopt ethical standards, which would prevent the acceptance of corrupt practices in private and public transactions.

16. (SBU) Minister of the Presidency Cosenza, during his joint press conference with the TI representative, responded to Ospina's comment that Honduras had failed to sign the UN Anti-Corruption Convention last December in Merida, Mexico (ref B). Cosenza explained that Honduras had made an involuntary omission in failing to sign. He pledged that the GOH would soon correct the error it had made. He privately told Ospina that the GOH, specifically Cosenza himself, had erred in circulating the UN Convention to the Supreme Court and Solicitor General for a full legal opinion on whether or not the GOH should ratify the convention rather than the more limited review as to whether or not the GOH could merely sign it. (Comment: According to MFA sources, the reason Honduras did not originally sign the convention was due to the belief that the convention contains wording to the effect that if one country cancels a person's visa because of corruption charges, allegations, etc., all signatory countries of the convention must also cancel their visas. End Comment)

17. (U) Comment: Ospina also explained that this visit by TI would not necessarily result in an improved ranking for Honduras in the next TI Index. She said the Index is based on survey results from diverse business and government sources, not on the results of a TI visit. Ospina also stated that there was not yet a TI chapter operating in Honduras because TI has not been able to identify an individual or group independent enough to fulfill the TI charter. Ospina did, however, go out of her way to praise Cardinal Rodriguez's work on the National Anti-Corruption Commission as being a very valuable contribution to the anti-corruption effort.

18. (U) Comment continued: Interestingly, at least one newspaper account focused part of its coverage on hostile press questions about the damage TI had done to Honduras by placing it as the most corrupt country in Central America and among the worst in the Western Hemisphere. After patiently explaining that the TI rankings were merely a reflection of evaluations provided by organizations and businesses operating in Honduras, Ospina became exasperated, according to one news account, and remarked that it appeared that she was having a conversation with the deaf. This coverage reflects widespread confusion in Honduras about TI's role and, more troubling, denial in some Honduran quarters about the extent of the corruption problem. End Comment.

Palmer